

REMARKS

Claims 1-19 are now pending in the application. By this amendment, Claims 1, 3, 8, 17, 18, and 19 have been amended. The basis for these amendments can be found throughout the specification, claims, and drawings originally filed. No new matter has been added. The preceding amendments and the following remarks are believed to be fully responsive to the outstanding Office Action and are believed to place the application in condition for allowance.

The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained therein.

REJECTION UNDER 35 U.S.C. § 103

Claims 1-4, 7 and 18 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Debely (U.S. Patent No. 4,384,232) or Endoh (U.S. Patent No. 6,541,897) in view of Harnden (U.S. Patent No. 4,714,847), Ljung (U.S. Patent No. 4,370,583) or Miyagawa (U.S. Patent No. 6,141,844).

Claims 5, 6 and 8-17 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Debely (U.S. Patent No. 4,384,232) or Endoh (U.S. Patent No. 6,541,897) in view of Harnden (U.S. Patent No. 4,714,847), Ljung (U.S. Patent No. 4,370,583) or Miyagawa (U.S. Patent No. 6,141,844) as applied to claim above, and further in view of Watari (U.S. Patent No. 5,719,460) or Watari (U.S. Patent No. 5,987,987).

These rejections are respectfully traversed.

At the outset, Applicants note that Endoh does not qualify as prior art under 35 U.S.C. § 103(a). Specifically, Endoh has a filing date of January 23, 2002 which is later

in time than Applicants' Japanese Patent Application JP 2001-059048 filed on March 2, 2001. Because the present Application properly claims priority to JP 2001-059048, and because Endoh cannot rely on foreign priority filings under any provision of 35 U.S.C. § 102 for purposes of a 35 U.S.C. § 103(a) rejection, Applicants respectfully submit that Endoh does not qualify as prior art under 35 U.S.C. § 103(a).

Independent Claims 1, 8, 17, and 18 each call for a side portion spaced apart from a grooved portion, and "a connecting surface extending from" the side portion to the grooved portion and a side electrode portion "extending partially over" the connecting surface of the side portion. Independent Claim 19 similarly calls for a step of forming a connecting surface extending from a side portion to a grooved portion and forming at least one of a groove electrode portion and a side electrode portion over the connecting surface. See Specification at Paragraph [0054] and Fig. 2. In this manner, the side electrode portions (121b, 122b) and the groove electrode portions (123a, 124a) are arranged such that upper end portions (121ba, 122ba) and lower end portions (121bb, 122bb) of the side electrode portions are held in a fixed relationship relative to the upper end portions (123aa, 124aa) and lower end portions (123ab, 124ab) of the groove electrode portions. In this regard, respective ends of the groove electrode portions and side electrode portions overlap a connecting surface of the vibration arm. See Fig. 2. The connecting surface can be seen in Fig. 2 at the top of the vibration arm generally disposed between the groove electrode portions and the side electrode portions. Furthermore, as recited in Claim 2, a suitable insulation film (121c, 122c) is provided to fix the respective upper end portions and lower end portions of the side electrode portions and groove electrode portions at a short-circuit prevention section

formed between the groove electrode and side electrode portions to inhibit a short-circuit condition therebetween. See Specification at Paragraph [0057] and Fig. 2.

Debely fails to teach such a relationship. Rather, Debely teaches a pair of tines (33, 34) of a tuning fork having central electrodes (39, 40, 41, and 42) and lateral electrodes (43, 44, 45, and 46). See Debely at Col. 5, Ins. 18-26. The central electrodes extend from grooves (35, 36, 37, and 38) formed in the tines of the tuning fork, while the lateral electrodes extend along an outer surface of each tine. See Debely at Col. 5, Ins. 20-26 and Fig. 6. In this manner, the lateral electrodes and central electrodes extend in a generally parallel relationship at their respective ends and therefore do not extend over an upper surface of the tines defined between the central electrode and the lateral electrode. See Debely at Fig. 6.

Because Debely does not disclose at least part of one of a groove electrode portion and a side electrode portion extending partially over a connecting surface of a vibration arm formed between the side electrode portion and the groove electrode portion, and none of the cited references cures this deficiency on Debely, Applicants' invention is not taught or suggested by the prior art and reconsideration and withdrawal of the rejection is respectfully requested.

In this manner, it is believed that independent Claims 1, 8, 17, 18, and 19, as well as Claims 2-7 and 9-16, respectively dependent therefrom, are in a condition for allowance in light of the art of record. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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